

Application No. 09/931,392
Amendment "E" dated September 17, 2004
Reply to Office Action mailed August 11, 2004

REMARKS

The Applicants' counsel wishes to thank the Examiner for the opportunity to engage in a telephonic interview with the Examiner on September 9, 2004. During the interview, the Applicants' counsel and the Examiner discussed the Takahashi reference, U.S. Patent No. 5,566,428 ("*Takahashi '428*"), specifically referring to the portion of column 1 of *Takahashi '428* that teaches away from selective detachability of a neck portion. Specifically, column 1, lines 30-51 teach that a head and neck portion which are vertically split are structurally weak, liable to be damaged or broken, and are poor in durability. The reference also teaches that if the neck portion were enlarged in order to reinforce the neck portion that such would hinder snap fit engagement. Thus, the reference teaches that it is an object of the invention to provide a rotating fastening member that is free from rupture or break. *See* col. 1, ll. 30-51. During the interview, the Examiner apparently agreed that this portion of the reference provided compelling evidence of teaching away from the Applicants' claims.

By this Amendment, certain typographical corrections have been made to the specification and the independent claims. The Applicants have also amended certain dependent claims to add subject matter relating to the dual male buckle portion, an elongate member extending between outer protuberances on the male buckle portion, and portions of the protuberances being exposed when the protuberances are buckled into a female buckle portion. Such exposure enables a user to directly, conveniently contact the protuberances rather than contacting them indirectly through the use of another structure. The addition of the language relating to the dual male buckle portion emphasizes that a dual male buckle portion is claimed which enables selective disengagement from both the proximal and distal portions thereof. The addition of the language relating to the centrally located elongate member emphasizes the

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stability of the male buckle portion and the ability of the male buckle portion to maintain its position effectively. The addition of the language relating to the exposed protuberance portions (See claims 36 and 42) emphasizes that in the present invention the user contacts the protuberances directly and compress inwardly thereon rather than requiring an additional, more complicated structure such as shown in the *Takahashi* '428 reference Figure 7, number 25, which requires an additional structure to press on the inner structures shown therein, which are not exposed.

Rejections Under 35 U.S.C. § 103

In the Office Action, claims 24-45 were rejected under 35 U.S.C. § 103 in light of *Takahashi* '428 in view of U.S. Patent No. 5,471,716 to Takahashi ("*Takahashi* '716"), and further in view of U.S. Patent No. 4,868,954 to Kasai ("*Kasai*"), and further in view of U.S. Patent No. 5,507,460 to Schneider ("*Schneider*").

As discussed with the Examiner, the *Takahashi* '428 patent teaches away from selective disengagement of the neck member by emphasizing in the first column thereof, lines 30-51, that a vertically split head and neck portion is not desired and that it is an object of the invention to provide a different type of coupling therefrom. Therefore, *Takahashi* '428 should be removed as a reference. See *In re Grasselli*, 713 F.2d 731, 743 (Fed. Cir. 1983). Specifically, *Takahashi* '428 states that a swivel hook referenced in a previous publication:

has a draw back that since the head and neck portions of the hook member which are vertically split will be forcibly fitted in the attachment hole in the ring member, the neck portion is structurally weak and hence is liable to be damaged or broken during assembling operation, and is poor in durability. If an attempt were made to enlarge or thicken the neck portion for a purpose of reinforcement, such an enlarged neck portion would hinder smooth

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snap-fit engagement between the vertically split leg of the hook member and the attachment hole in the ring member.

Col. 1, ll. 30-41. Thus, the *Takahashi* '428 reference teaches away from the present claims.

In the present invention, it is possible to detach both the female body portion and the attachment from the male buckle portion. This has many advantages. For example, as one alternative the user can selectively detach the attachment from the male buckle portion. Optionally, the user can selectively detach the combined male buckle portion and attachment from the female buckle portion. As another option, the user can detach the male buckle portion from the female buckle portion and detach the attachment from the male buckle portion. These options provide the user with variety and choice which are both unique, useful, and meaningful innovations, enabling the user to experience a variety of different configurations and options when preparing and producing and/or using the lanyard system of the present invention. One of the primary features reflected in the present claims is the idea of detachability both from the proximal and from the distal end of the male buckle portion. Basis for the foregoing amendments can be found throughout the specification and claims, such as in paragraphs 70-72.

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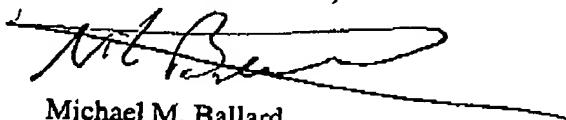
Conclusion

The Amendments to the independent claims have been made to correct typographical errors therein. The dependent claims have been added to demonstrate additional features of the present invention as discussed above. Reconsideration and allowance of the above-identified claims are now respectfully requested.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

DATED this 17th day of September, 2004.

Respectfully submitted,



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